

### **REMARKS**

Applicant has amended the specification in claims to overcome the objections set forth in paragraphs 4 through 8. Accordingly, it is respectfully submitted that these objections are no longer applicable.

Applicant has also amended the claims where appropriate to clearly set forth that the method includes utilizing the software program running on a computer.

Accordingly, the objection set forth by the Examiner in paragraph 10 is no longer applicable. Additionally, claim 26 has been amended to be a method claim to be dependent upon claim 25.

A new independent claim 27 directed to a computer software product has been introduced which closely mirrors the method of claim 25.

Currently claims 1-27 are present in the application which are directed to a method, system and software product for organizing a plurality of images in a predetermined page format. The present invention is directed to grouping the images into a plurality of different page layouts. It is to be noted that each of the page layouts are capable of being printed, however, applicant's invention is directed to determining the best appropriate page layout based on a predetermined criteria. In the particular invention, this criteria is directed to analyzing the different page layouts with respect to the amount of white space in each of the potential page layouts and selecting of the appropriate page layout based on the amount of white space present in each of the page layouts. The white space is the amount of space between a number of different images. There is no set template for any of the page layouts. The only requirement is that the images be capable of being placed on the page format. That is, that the images simply fit on the page. Thus, there is provided a multitude of different page layouts whereon the amount of white space is determined for each of the potential page layouts. Then the selection of the appropriate page layout is accomplished based on the white space.

Applicant respectfully submits that the prior art fails to teach or suggest the invention as taught and claimed by applicant.

The Examiner, in rejecting the application on the art, states that claims 1-3, 5, 8, 12, 22-23 and 25 are rejected under 35 USC § 102(a) as being

anticipated by King et al. (US 5,956,737) for the reasons set forth in the rejection. The analyzation that the Examiner refers to at column 3, lines 19-21 appears to be directed to the embodiment set forth in figure 34. In that particular situation, the media tree includes the step of determining if the component is a primitive. If it is, it is measured and returned providing it's extent. Then the decision tree goes along as set forth in the remainder of figure 34. This does not teach or suggest the analyzing of the white space between different images and acceptable page layouts. In the diagram of figure 34, they are trying to obtain a single suitable layout. In the present invention, the layouts that have been provided are all suitable, the only question is whether which one is more suitable than the next. This is done by determining the white space and then selecting the best based on this value. There, of course, may be a number of different values selected for the amount of white space. One way comprises providing the least amount of white space, however, there maybe situations where the desired amount of white space is desired in only one criteria or based on some other aspect of the white space. Further other criteria may be used to determine the appropriate selection.

As set forth in column 40, lines 50-58, the King reference goes to a contact scale factors wherein the individual contact may be scaled up or down in order to assist in fitting all the content within the media. The white space scale factor referred to in column 41, line 7 is directed to the desired amount of space desired. In that particular case, the white space is content component. This is not the same as determined amount of white space between the plurality of images as taught and claimed by applicant. The King reference is directed to a particular template for laying out of the images. The present invention does not have a particular template. Quite the contrary, each of the different page layouts can be remarkably different from the other. There is no one single page template in which the positioning of the content elements are to be placed. In fact, the present invention is designed to provide totally different layouts so that it can be determined which layout is best. Thus, it is respectfully submitted that the King reference is of little relevance to the present invention. Furthermore, it is quite clear that the King reference does not teach or suggest various other features taught and claimed by applicant. For example, feature of analyzing of different page layouts wherein scoring is provided for different page layouts (see claim 4) or that the amount of white space is minimized using stochastic algorithms (see

claim 6). Nor does it teach or suggest the comparing of different page layouts until there is little or no further improvement in the scoring (see claim 9). Thus, applicant respectfully submit that the King reference does not teach or suggest the invention as taught and claimed by applicant.

With respect to the rejections of claims 4, 9-10 and 24 under 35 USC § 103(a) as being unpatentable over King and further in view of Ross et al. Applicant respectfully submits that the Ross reference does not each or suggest anything which would render applicants claims not patentable and therefore, these claims are also patentable for the same reasons previously discussed. Likewise the remaining rejections are all directed to dependent claims which provide additional set of references but fail to teach the basic invention of analyzing each of the page layouts in accordance with respect to the amount of white space in each of the layouts in selecting the page layout based thereon. The remaining cited references as set forth fail to teach or suggest it and therefore, could not teach or suggest the present invention as set forth.

In view of the foregoing, applicant respectfully submit that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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